

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
Case No. 1:23-cv-00878-TDS-JEP**

DEMOCRACY NORTH CAROLINA, et al.,

Plaintiffs,

v.

ALAN HIRSCH, et al.,

Defendants,

and

PHILIP E. BERGER, et al.,

Intervenor-Defendants.

**PLAINTIFFS' MOTION TO COMPEL  
RESPONSE TO SUBPOENA AND TO  
AUTHORIZE ALTERNATIVE SERVICE  
OF SUBPOENAS**

**NOW COME** Plaintiffs Democracy North Carolina, North Carolina Black Alliance, and League of Women Voters of North Carolina (collectively, "Plaintiffs"), through their undersigned counsel, to move the Court for an order (1) compelling non-party Cleta Mitchell to respond to the document subpoena Plaintiffs served upon her by certified mail pursuant to Federal Rule of Civil Procedure 45 and (2) authorizing alternative service of document and deposition subpoenas on Ms. Mitchell and non-party North Carolina Election Integrity Team. In support of this motion, Plaintiffs file a Memorandum of Law and Declaration herewith.

Dated: January 31, 2024

Respectfully submitted,

/s/ Jeffrey Loperfido

Jeffrey Loperfido (State Bar #52939)  
Christopher Shenton (State Bar #60442)  
Katelin S. Kaiser (State Bar #56799)  
Hilary H. Klein (State Bar #53711)  
**SOUTHERN COALITION FOR SOCIAL  
JUSTICE**

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*Counsel for Plaintiffs Democracy North Carolina,  
North Carolina Black Alliance, and League of  
Women Voters of North Carolina*

## **CERTIFICATE OF SERVICE**

The undersigned attorney hereby certifies that a true and correct copy of **Plaintiffs' Motion to Compel Responses to Subpoena and to Authorize Alternative Service of Subpoenas** was served on all parties of record through the Court's electronic filing system and on the following non-parties by USPS Priority Mail and e-mail on January 31, 2024 as addressed below:

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**North Carolina Election Integrity Team**  
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/s/ Jeffrey Loperfido

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